UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/826,995	04/19/2004	Steven P. Floeder	59674US002	3492

32692 7590 06/30/2008

3M INNOVATIVE PROPERTIES COMPANY
PO BOX 33427
ST. PAUL, MN 55133-3427

EXAMINER	
RUSH, ERIC	
ART UNIT	PAPER NUMBER
2624	

NOTIFICATION DATE	DELIVERY MODE
06/30/2008	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

LegalUSDocketing@mmm.com
LegalDocketing@mmm.com

Office Action Summary	Application No.	Applicant(s)	
	10/826,995	FLOEDER ET AL.	
	Examiner	Art Unit	
	ERIC RUSH	2624	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *17 April 2008*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-3,5,7-12,14,15 and 22-31* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-3,5,7-12,14,15 and 22-31* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *19 April 2004* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 4/17/2008 has been entered.

Response to Amendment

This action is responsive to the amendment and remarks received on 4/17/2008. Claims 1 – 3, 5, 7 – 15, and 22 – 31 are currently pending.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

> The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. In view of the amendment and remarks received on 17 April 2008 the rejections to claims 9-12 and 14-15 under 35 U.S.C. 112 first paragraph are withdrawn.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5. The factual inquiries set forth in *Graham* **v.** *John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

6. Claims 1, 2, 5, 9, 10, 12, 14, 15, 22, 24, and28-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ho et al. U.S. Patent No. 6,934,028 B2 in view of Wagman U.S. Patent No. 6,798,925 B1.

- With regards to claim 1, Ho et al. teach a method of analyzing a web of material containing at least two anomalies, comprising: imaging at least a portion of the web to provide digital information; (Ho et al., Column 8 Lines 12 - 20) processing the digital information with an initial algorithm to identify regions on the web containing the at least two anomalies; (Ho et al., Column 6 Lines 7 – 23 and Lines 50 - 55) placing fiducial marks on the web, wherein the fiducial marks uniquely identify a position on the web;

(Ho et al., Column 12 Line 66 – Column 13 Line 17) winding the web onto a roll; (Ho et al., Column 13 Lines 34 - 49) recording positional information localizing the identified regions relative to the fiducial marks; (Ho et al., Column 13 Lines 18 – 33, Column 13 Line 61 – Column 14 Line 3) and subsequent to the winding step, unwinding the web and applying locating marks to the web identifying the position of at least one of the identified regions, using the positional information and the fiducial marks as a guide. (Ho et al., Column 13 Lines 34 - 49) Ho et al., fail to teach wherein the fiducial marks uniquely identify a position on the web. Wagman teaches wherein the fiducial marks uniquely identify a position on the web. (Wagman, Abstract, Column 1 Line 57 – Column 2 Line 6) It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of Ho et al. with the teachings of Wagman. This modification would have been prompted in order to annotate anomalies with unique identifiers which would be advantageous for a multitude of reasons, for example to aid in classification of the anomalies and/or in order to help make sure the inspection system is continually calibrated and aligned properly.

- With regards to claim 2, Ho et al. in view of Wagman teach the method according to claim 1. Ho et al. teach the method further comprising: storing or buffering the digital information describing the identified regions;

(Ho et al., Column 11 Lines 23 – 50, Column 12 Lines 27 - 38) receiving input defining the constituents of an anomaly that is a defect with respect to the contemplated end use of the web; (Ho et al., Column 10 Lines 48 - 54) processing the digital information describing the identified regions to identify at least one identified region that qualifies as an actual defects with respect to the contemplated end use of the web, (Ho et al., Column 7 Lines 46 – 59, Column 8 Lines 12 - 60) and to identify at least one identified region that does not qualify as an actual defect with respect to the contemplated end use of the web; (Ho et al., Column 7 Lines 46 – 59, Column 8 Lines 12 - 60) and wherein the locating mark is applied to identify the position of only the at least one identified region that qualifies as an actual defect with respect to the contemplated end use of the web. (Ho et al., Column 10 Lines 48 – 53, Column 10 Line 63 - Column 11 Line 13, and Column 13 Lines 34 - 49)

- With regards to claim 5, Ho et al. in view of Wagman teach the method according to claim 2. Ho et al. teach wherein the stored or buffered information is processed after the imaging has been performed on the entire web. (Ho et al., Column 13 Lines 34 – 49, the re-inspection step use the stored information for defect and flaw verification plus additional processing)

- With regards to claim 9, Ho et al. teach a system for marking a web of material having at least two anomalies, comprising: a fiducial marker for applying fiducial marks on a portion of the web, (Ho et al., Column 12 Line 66 – Column 13 Line 17) wherein the fiducial marks uniquely identify particular positions on the web; (Ho et al., Column 12 Line 66 – Column 13 Line 17) an inspection module for imaging the portion of the web to provide digital information, (Ho et al., Column 8 Lines 12 - 20) processing the digital information with an initial algorithm to identify regions on the web containing the anomalies, (Ho et al., Column 6 Lines 7 – 23 and Lines 50 - 55) and determining positional information localizing the identified regions relative to the fiducial marks; (Ho et al., Column 12 Line 66 – Column 13 Line 17) a fiducial reader for reading and providing localizing information from the fiducial marks; (Ho et al., Column 13 Line 34 – Column 14 Line 33, Ho et al. teach inspecting, detecting, and marking defects and two different locations and times, wherein the second location reads the marks and associates the marks on the web with the defect location and classification with the aid of a database which was created during the first inspection) a web marker for applying locating marks to the web; (Ho et al., Column 12 Line 66 – Column 13 Line 17) a web marker controller for controlling the web marker so as to apply locating marks to the web identifying the position of at least one of the anomalies that constitutes a defect, (Ho et al., Column 10 Lines 48 – 53, Column 12 Line

66 – Column 13 Line 17) using the positional information and the localizing information as a guide, (Ho et al., Column 12 Line 66 – Column 13 Line 49) and; wherein the fiducial marker and the inspection module are associated with a first webhandling apparatus that winds the web around a first core, and wherein the fiducial reader, the web marker, and the web marker controller are associated with a second webhandling apparatus that winds the web around a second core. (Ho et al., Column 13 Line 34 – Column 14 Line 33, Ho et al. teach inspecting, detecting, and marking defects and two different locations and times, wherein the second location reads the marks and associates the marks on the web with the defect location and classification with the aid of a database which was created during the first inspection) Ho et al., fail to teach wherein the fiducial marks uniquely identify a position on the web. Wagman teaches wherein the fiducial marks uniquely identify a position on the web. (Wagman, Abstract, Column 1 Line 57 – Column 2 Line 6) It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of Ho et al. with the teachings of Wagman. This modification would have been prompted in order to annotate anomalies with unique identifiers which would be advantageous for a multitude of reasons, for example to aid in classification of the anomalies and/or in order to help make sure the inspection system is continually calibrated and aligned properly.

- With regards to claim 10, Ho et al. in view of Wagman teach the system according to claim 9. Ho et al. teach wherein the web marker controller, before providing signals commensurate with a marking of an anomaly, receives input defining the constituents of an anomaly that is a defect with respect to the contemplated end use of the web to determine that at least one of the anomalies does qualify as an actual defect with respect to a contemplated end use of the web, (Ho et al., Column 10 Lines 48 – 53) and at least one of the anomalies does not qualify as an actual defect with respect to the contemplated end use of the web. (Ho et al., Column 7 Lines 46 – 59, Column 8 Lines 12 - 60)

- With regards to claim 12, Ho et al. in view of Wagman teach the system according to claim 10. Ho et al. teach wherein the inspection module stores or buffers the identified regions for the processor. (Ho et al., Column 12 Lines 27 – 38)

- With regards to claim 14, Ho et al. in view of Wagman teach the system according to claim 9. Ho et al. teach wherein the web marker places locating marks on or adjacent to the anomalies whose position they identify. (Ho et al. Column 13 Lines 7 – 17)

- With regards to claim 15, Ho et al. in view of Wagman teach the system according to claim 9. Ho et al. teach wherein the web marker places locating marks that are spaced in a predetermined way from the anomalies whose position they identify. (Ho et al. Column 13 Lines 7 – 17)

- With regards to claim 22, Ho et al. teach a method of marking a web of material having fiducial marks thereon, comprising: receiving the web of material in the form of a roll, (Ho et al., Column 5 Lines 46 – 55, Column 13 Lines 34 - 49) the web of material having at least two anomalies; (Ho et al., Column 6 Lines 7 – 23 and Lines 50 - 55) receiving digital information about the location of the at least two anomalies on the web of material relative to the fiducial marks, (Ho et al., Column 13 Lines 18 – 33, Column 13 Line 61 – Column 14 Line 3) after receiving the web of material and the digital information, unwinding the roll; (Ho et al., Column 13 Lines 34 - 49) and applying locating marks to the web identifying the position of at least one of the anomalies that constitutes an actual defect, (Ho et al., Column 10 Lines 48 – 53, Column 12 Line 66 – Column 13 Line 17) using the digital information and the fiducial marks as a guide. (Ho et al., Column 13 Line 7 – Column 14 Line 33) Ho et al. fail to teach wherein the fiducial marks uniquely identify a position on the web. Wagman teaches wherein the fiducial marks uniquely identify a position on the web. (Wagman, Abstract, Column 1 Line 57 – Column 2 Line 6) It would have been

obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of Ho et al. with the teachings of Wagman. This modification would have been prompted in order to annotate anomalies with unique identifiers which would be advantageous for a multitude of reasons, for example to aid in classification of the anomalies and/or in order to help make sure the inspection system is continually calibrated and aligned properly.

- With regards to claim 24, Ho et al. in view of Wagman teach the method according to claim 22, further comprising processing the digital information with an algorithm to identify at least one anomaly that qualifies as a defect with respect to a contemplated end use of the web, (Ho et al., Column 7 Lines 46 – 59, Column 8 Lines 12 - 60) and to identify at least one anomaly that does not qualify as a defect with respect to the contemplated end use of the web, (Ho et al., Column 7 Lines 46 – 59, Column 8 Lines 12 - 60) and wherein applying locating marks is done only to the at least one anomaly that represents an actual defect with respect to the contemplated end use of the web. (Ho et al., Column 10 Lines 48 – 53, Column 10 Line 63 - Column 11 Line 13, and Column 13 Lines 34 - 49)

- With respect to claim 28, Ho et al. teach a method of marking defects on a web of material having fiducial marks thereon, comprising: receiving the

web of material in the form of a roll, (Ho et al., Column 5 Lines 46 – 55, Column 13 Lines 34 - 49) the web of material having a plurality of anomalies; (Ho et al., Column 6 Lines 7 – 23 and Lines 50 - 55) receiving digital information about the location of the plurality of anomalies on the roll, relative to the fiducial marks, (Ho et al., Column 13 Lines 18 – 33, Column 13 Line 61 – Column 14 Line 3) receiving digital information describing the anomalies to determine that at least one of the plurality of anomalies is an actual defect with respect to the contemplated end use of the web, (Ho et al., Column 7 Lines 46 – 59, Column 8 Lines 12 - 60) and one of the plurality of anomalies is not a defect with respect to the contemplated end use of the web; (Ho et al., Column 7 Lines 46 – 59, Column 8 Lines 12 - 60) unwinding the roll; (Ho et al., Column 5 Lines 46 – 55, Column 13 Lines 34 - 49) and applying the locating marks to the web identifying the position of the at least one anomaly that qualifies as an actual defect. (Ho et al., Column 12 Line 66 – Column 13 Line 17) Ho et al. fail to teach wherein the fiducial marks uniquely identify a position on the web. Wagman teaches wherein the fiducial marks uniquely identify a position on the web. (Wagman, Abstract, Column 1 Line 57 – Column 2 Line 6) It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of Ho et al. with the teachings of Wagman. This modification would have been prompted in order to annotate anomalies with unique identifiers which would be advantageous

for a multitude of reasons, for example to aid in classification of the anomalies and/or in order to help make sure the inspection system is continually calibrated and aligned properly.

- With respect to claim 29, Ho et al. in view of Wagman teach the method of claim 28, wherein the locating marks are not applied to the at least one anomaly that does not qualify as an actual defect. (Ho et al., Column 10 Lines 48 – 53, Column 10 Line 63 - Column 11 Line 13, and Column 13 Lines 34 – 49, the go defects can be excluded from the final reports)

- With respect to claim 30, Ho et al. in view of Wagman teach the method of claim 28, further comprising: selecting one or more algorithms that identify defects, (Ho et al., Column 6 Lines 7 – 23, Lines 50 – 55, and Column 10 Lines 48 - 54) and wherein processing the digital information comprises applying the selected one or more algorithms to the digital information describing the anomalies. (Ho et al., Column 6 Lines 7 – 23 and Lines 50 - 55)

- With regards to claim 31, Ho et al. in view of Wagman teach the method of claim 2. Ho et al. teach wherein receiving input defining constituents of an anomaly that is a defect step and the processing the digital information describing the identified regions steps are done subsequent to the winding

step. (Ho et al., Column 7 Lines 46 – 59, Column 8 Lines 12 – 60, Column 10 Lines 48 – 54)

7. Claims 7, 8, and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ho et al. U.S. Patent No. 6,934,028 in view of Wagman U.S. Patent No. 6,798,925 as applied to claims 1 and 22 above, and further in view of Dante et al. U.S. Patent No. 5,365,596.

- With regards to claim 7, Ho et al. in view of Wagman teach the method according to claim 1. Ho et al. fail to teach wherein the locating marks are on or adjacent to the anomalies whose position they identify. Dante et al. teach wherein the locating marks are on or adjacent to the anomalies whose position they identify. (Dante et al., Column 10 Lines 32 – 43) It would have been obvious to one of ordinary skill in the art to modify the teachings of Ho et al. in view of Wagman to include the teachings of Dante et al. This modification would have been prompted in order to minimize the amount of material which would need to be removed in the case of detected defects.

- With regards to claim 8, Ho et al. in view of Wagman teach the method according to claim 1. Ho et al. fail to teach wherein the locating marks are spaced in a predetermined way from the anomalies whose position they

identify. Dante et al. teach wherein the locating marks are spaced in a predetermined way from the anomalies whose position they identify. (Dante et al. Column 10 Lines 32 – 43) It would have been obvious to one of ordinary skill in the art to modify the teachings of Ho et al. in view of Wagman to include the teachings of Dante et al. This modification would have been prompted in order to minimize the amount of material which would need to be removed in the case of detected defects.

- With regards to claim 23, Ho et al. in view of Wagman teach the method according to claim 22. Ho et al. fail to teach wherein: the locating marks are applied to the web within 1 mm of the anomalies they identify. Dante et al. teach wherein: the locating marks are applied to the web within 1 mm of the anomalies they identify. (Dante et al., Column 10 Lines 32 – 43) It would have been obvious to one of ordinary skill in the art to modify the combined teachings of Ho et al. in view of Wagman to include the teachings of Dante et al. This modification would have been prompted in order to minimize the amount of material which would need to be removed in the case of detected defects.

8. Claims 3 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ho et al. U.S. Patent No. 6,934,028 B2 in view of Wagman U.S. Patent No. 6,798,925

B1 as applied to claims 2 and 9 above, and further in view of Bokor et al. U.S. Patent No. 6,484,306 B1.

- With regards to claim 3, Ho et al. in view of Wagman teach the method according to claim 2. Ho et al. teach wherein processing the digital information describing the identified regions comprises analyzing the extracted identified regions with at least one subsequent algorithm to determine at least one identified region that qualifies as an actual defect with respect to the contemplated end use of the web. (Ho et al., Column 13 Line 42 – Column 14 Line 33) Ho et al. fail to teach wherein the subsequent algorithm is not the same as the initial algorithm. Bokor et al. teach wherein a material is inspected with a subsequent algorithm which is not the same as an initial algorithm. (Bokor et al., Fig. 2, Column 5 Lines 20 – 28, Lines 31 – 35 and Lines 43 - 63) It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the combined teachings of Ho et al. in view of Wagman with the teachings of Bokor et al. This modification would have been prompted because Ho et al. teach inspected the web multiple times but fail to specifically teach that an inspection algorithm is changed, but it would have been obvious to do so in order to decrease the amount of false alarms.

- With regards to claim 11, Ho et al. in view of Wagman teach the system according to claim 9. Ho et al. teach wherein the inspection module extracts information defining identified regions from the digital information, (Ho et al., Column 10 Line 63 – Column 11 Line 50) and wherein the system further comprises: a data storage module operative to store the extracted information defining the identified regions on the web containing anomalies, (Ho et al., Column 13 Line 61 – Column 14 Line 33) as well as the determined positional information localizing the regions on the web containing anomalies, (Ho et al., Column 13 Line 61 – Column 14 Line 33) as well as the determined positional information localizing the regions on the web containing anomalies relative to the fiducial marks; (Ho et al., Column 13 Line 7 – Column 14 Line 33) a processor associated with the web marker controller operative to receive information defining the identified regions stored in the data storage module and analyzing the extracted information defining the identified regions with at least one subsequent algorithm to determine at least one anomaly that represents an actual defect with respect to a contemplated end use of the web, (Ho et al., Column 13 Line 42 – Column 14 Line 33, Column 10 Line 49 – Column 11 Line 14) and at least one anomaly that does not represent an actual defect with respect to the contemplated end use of the web. (Ho et al., Column 13 Line 42 – Column 14 Line 33, Column 10 Line 49 – Column 11 Line 14) Ho et al. fail to teach wherein the subsequent

algorithm is not the same as the initial algorithm. Bokor et al. teach wherein the subsequent algorithm is not the same as the initial algorithm. (Bokor et al., Fig. 2, Column 5 Lines 20 – 28, Lines 31 – 35 and Lines 43 - 63) It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the combined teachings of Ho et al. in view of Wagman with the teachings of Bokor et al. This modification would have been prompted because Ho et al. teach inspected the web multiple times but fail to specifically teach that an inspection algorithm is changed, but it would have been obvious to do so in order to decrease the amount of false alarms.

9. Claims 25 – 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ho et al. U.S. Patent No. 6,934,028 in view of Bokor et al. U.S. Patent No. 6,484,306 and further in view of Wagman U.S. Patent No. 6,798,925.

- With respect to claim 25, Ho et al. teach a method comprising: receiving information describing a web of material having fiducial marks thereon, (Ho et al., Column 13 Lines 33 - 49) analyzing the information with a first algorithm to identify areas of the web containing anomalies; (Ho et al., Column 7 Lines 46 – 59, Column 8 Lines 12 - 60) digitally storing anomaly information that describes the areas of the web identified by the first algorithm as containing anomalies; (Ho et al., Column 13 Lines 18 – 33,

Column 13 Line 61 – Column 14 Line 3) analyzing the anomaly information with a subsequent algorithm to produce defect information, the subsequent algorithm identifying at least one anomaly described by the anomaly information as a defect, and at least one anomaly described by the anomaly information as other than a defect, the defect information including at least information identifying the location of at least one defect relative to at least one of the fiducial marks on the web. (Ho et al., Column 13 Lines 18 – 33, Column 13 Line 61 – Column 14 Line 3) Ho et al. fail to teach wherein the subsequent algorithm is not the same as the initial algorithm and wherein the fiducial marks uniquely identify a position on the web. Bokor et al. teach wherein a material is inspected with a subsequent algorithm which is not the same as an initial algorithm. (Bokor et al., Fig. 2, Column 5 Lines 20 – 28, Lines 31 – 35 and Lines 43 - 63) Bokor et al. fail to teach wherein the fiducial marks uniquely identify a position on the web. Wagman teaches wherein the fiducial marks uniquely identify a position on the web. (Wagman, Abstract, Column 1 Line 57 – Column 2 Line 6) It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the combined teachings of Ho et al. in view of Korngold et al. with the teachings of Bokor et al. This modification would have been prompted because Ho et al. teach inspected the web multiple times but fail to specifically teach that an inspection algorithm is changed, but it would have been obvious to do so in order to decrease the amount

of false alarms. Furthermore, It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the combined teachings of Ho et al. in view of Bokor et al. with the teachings of Wagman. This modification would have been prompted in order to annotate anomalies with unique identifiers which would be advantageous for a multitude of reasons, for example to aid in classification of the anomalies and/or in order to help make sure the inspection system is continually calibrated and aligned properly.

- With respect to claim 26, Ho et al. in view of Bokor et al. and further in view of Wagman teach the method of claim 25, further comprising: marking the location of the at least one defect on the web. (Ho et al., Column 12 Line 66 – Column 13 Line 17)

- With respect to claim 27, Ho et al. in view of Bokor et al. and further in view of Wagman teach the method of claim 25, further comprising: producing a web conversion plan using the defect information. (Ho et al., Column 13 Lines 33 – 49)

Response to Arguments

10. Applicant's arguments with respect to claims have been considered but are moot in view of the new ground(s) of rejection.

11. In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., the decision of what constitutes a defect is made *after* the inspection phase) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

12. Applicant's arguments filed 17 April 2008 have been fully considered but they are not persuasive. On page 12 of the remarks, Applicant's Representative argues that Ho et al. fail to teach nor suggest that the flaws and defects are based on the end use of the web itself. The Examiner respectfully disagrees. Ho et al. do in fact teach wherein input is received that defines what constitutes a defect based on the product, Column 10 Lines 48 - 53. On Pages 12 - 13 of the remarks, Applicant's Representative argues that Ho et al. do not teach a fiducial mark because they call it a fiduciary mark. The Examiner disagrees. There is no doubt that Ho et al. understand the concept of a fiduciary mark, see Column 13 Lines 7 – 49. Fiduciary or fiducial marks are well known in the art of web inspection systems and it is difficult to imagine that Ho et al. are using the term to describe a person.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ERIC RUSH whose telephone number is (571)270-3017. The examiner can normally be reached on 7:30AM - 5:00PM (EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Samir Ahmed can be reached on (571) 272-7413. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

ER
/Samir A. Ahmed/
Supervisory Patent Examiner, Art Unit 2624